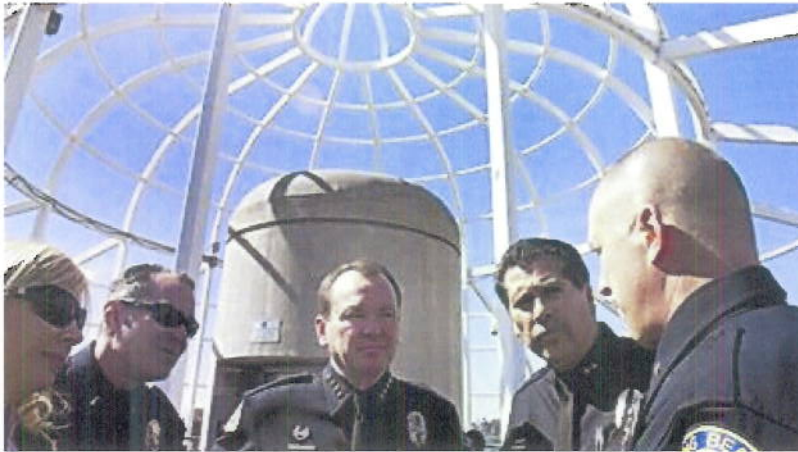


Jim McDonnell cites fresh perspective as L.A. County sheriff candidate



Long Beach Police Chief Jim McDonnell, center, is flanked by Sgt. Megan Zabel, left, Lt. Joel Cook, Deputy Chief Robert Luna and Cmdr. Michael Beckman as they discuss plans on the first day of the Grand Prix. (Cheryl A. Guerrero / Los Angeles Times)

By **CINDY CHANG**

MAY 28, 2014, 10:05 PM

On his first day as chief of the Long Beach Police Department, Jim McDonnell stepped into hostile territory.

Many police officers were opposed to a chief from the outside, especially one from the LAPD. McDonnell had landed the job over several well-respected internal candidates.

When McDonnell ordered a mandatory briefing within 72 hours of officer-involved shootings, his subordinates did not mince words, recalled Steve James, president of the Long Beach police union.

"Many of us thought, 'All we need is one more meeting,'" James said. "'Here comes the new chief and one more meeting.'"

Four years later, the 72-hour review is generally embraced. McDonnell won over skeptics by respecting the department's traditions and listening to suggestions, James and others said.

McDonnell is hoping to repeat his Long Beach experience at a larger and deeply troubled agency: the Los Angeles County Sheriff's Department.

He is one of seven candidates seeking to replace Lee Baca, the longtime sheriff who retired in the face of scandal after 18 employees were criminally charged and the department was found to have hired deputies with criminal histories, including Baca's own nephew.

The federal indictments include allegations that sheriff's officials assaulted jail inmates and hid a jailhouse informant from the FBI.

As the only serious contender without roots in the department, McDonnell has attracted high-profile endorsements and a substantial war chest from those who believe that change can best come from outside. A McDonnell victory would be historic: For a century, L.A. County voters have chosen a sheriff from inside the department.

McDonnell's opponents in the Tuesday primary, who include two assistant sheriffs and a retired undersheriff, argue that only someone steeped in the department's unique mix of jail management and street-level policing can turn the place around.

"He's a very respected law enforcement professional.... To me it's not about whether he has the knowledge or capability, but it's the internal knowledge within the Los Angeles County Sheriff's Department," said Assistant Sheriff James Hellmold, a candidate with 25 years in the department.

McDonnell, 54, deflects those criticisms by promising to appoint top aides from within. He cites his service on the Citizens' Commission on Jail Violence, which issued influential recommendations on how to fix the nation's largest county jail system.

"I bring a fresh perspective from the outside. I'm not encumbered by internal alliances," McDonnell said. "I didn't grow up with people in the organization. I don't owe anybody anything."

The son of working-class immigrants from Ireland, McDonnell has lived in Southern California since joining the Los Angeles Police Department at age 21. His Boston origins are apparent in his flat vowels and dropped consonants, as well as in his sports allegiances. He still roots for the Red Sox, the Patriots and the NHL's Bruins.

At candidate debates, McDonnell often reels off his plans in a monotone. He is not a natural politician, and it is in part that reticence that has won him respect from the cops he commands.

"He has a certain style about him," said Robert Luna, a Long Beach deputy chief. "When you're in a room with him, you know he's in charge, but he's not egotistical, he's not, 'I'm the king.'"

McDonnell flirted with a run for sheriff last year but decided that the campaign season was too long and Baca too formidable of an opponent. He jumped in only after Baca's retirement in January.

Despite his outward modesty, McDonnell has long aspired to lead an agency, losing out for the LAPD's top job, first to William J. Bratton and then Charlie Beck. As Bratton's second-in-command, McDonnell helped implement the federal consent decree that arose largely out of the Rampart corruption scandal.

His supporters say that is the kind of experience needed to clean up a sheriff's department with a history of favoritism, deputy cliques and violence in the jails.

"People were a little resistant. They liked things the way they'd always done them," Tyler Izen, president of the LAPD union, said of the consent decree era. "It was frequently Jim McDonnell, with his enthusiasm, who said, 'We're going to do this. This is the right thing to do. We can do it. Let's all get in there and go.'"

In Long Beach, McDonnell leads a force diminished by budget cuts to just over 800 sworn officers. He has been criticized for a rise in officer-involved shootings, as well as the 2013 beating of an unarmed man. Last month, Long Beach officers fatally shot a 36-year-old man who was allegedly armed only with a wooden stick as he fled down a set of stairs. The man's family has filed a \$10-million claim against the city.

Citing the 72-hour reviews, McDonnell said the department is always trying to improve.

"We're looking for red flags: training issues, equipment issues, tactical issues," McDonnell said. "Are there things we need to do with the individual officer, with the unit or department-wide training?"

Transparency has also been an issue in Long Beach during McDonnell's tenure. The city and the police union are fighting a request by The Times seeking the names of Long Beach police officers who have used lethal force. The case is now before the California Supreme Court.

In response to a question at a candidate debate, McDonnell referred to the court case, saying the outcome "will dictate where we go from there." In general, he said, he strives for openness in dealing with the press and with oversight agencies.

"In policing, we treat 95% of what we do as a secret, when actually 5% needs to be kept confidential because of state laws or because it would jeopardize an investigation," he said.

McDonnell said his No. 1 priority as sheriff would be "restoring public trust and pride within the organization." He favors a two-track system separating deputies who want a career in the jails and those who want to do street patrol. Under Baca, new deputies spent years in the jails, even if they aspired to do patrol work.

"They're crossing off the days on the calendar as if they're an inmate. That's not a high-productivity individual," McDonnell said.

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County jail deputies allegedly staged fights, FBI agent testifies



An FBI agent testified that inmates claimed deputies were assaulting them, staging fights and sometimes filming them. Above, a 2013 photo shows a section of the county's Twin Towers Correctional Facility. (Robert Gauthier / Los Angeles Times)

By **VICTORIA KIM**

MAY 28, 2014, 9:26 PM

Federal agents were secretly investigating "dozens, if not hundreds" of allegations of violent beatings and other abuses by deputies at L.A. County jails when they decided to smuggle a phone in to a cooperating inmate to corroborate those claims, an FBI agent testified Wednesday.

Inmates claimed deputies were assaulting them, staging "gladiator-type" fights and sometimes filming them, allowing inmates to enter other inmates' cells to attack one another, and smuggling in contraband in exchange for bribes, FBI Special Agent David Dahle said. The alleged incidents, he said, were concentrated on two high-security floors of Men's Central Jail and the mental health wards of Twin Towers Correctional Facility.

Despite the volume of claims, agents knew the allegations would be challenging to corroborate, Dahle testified.

"When your main victims are inmates and potentially the defendants are law enforcement, it's difficult to prove those cases when your victims are seen by many as inherently untrustworthy," he said.

The agent's testimony came in the trial of six sheriff's deputies who face obstruction of justice and conspiracy charges for allegedly attempting to foil the FBI's investigation by hiding the inmate informant and threatening an FBI agent, Dahle's colleague. Prosecutors have previously disclosed during another deputy's trial that the federal grand jury investigation into civil rights abuses and corruption at the jails, which has resulted in more than 20 arrests, is ongoing.

As part of the investigation, authorities have charged eight deputies and a sergeant in three separate cases with civil rights violations over alleged incidents of excessive force against inmates and visitors and the ensuing coverup. Those trials are pending.

By the time he was assigned to the investigation in August 2011, Dahle said, the FBI had come up with a recourse for the problem of inmates' credibility: Through a corrupt deputy, they supplied an informant, Anthony Brown, with a cellphone to document use of force incidents and report them to his FBI handlers in real time.

But within a couple of weeks, before Brown recorded any incidents, deputies found the phone during a routine search. Soon, they also discovered Brown had been in contact with the FBI's civil rights squad.

"I know you're working with the feds, dude.... No more beating around," Deputy Gerard Smith, one of the defendants, told Brown in an interview, a recording of which was played for jurors Wednesday.

"How do you know I'm not a federal agent?" Brown asked in response.

"I don't," Smith replied.

Prosecutors allege that in the recorded interviews of Brown, which took place while the deputies were keeping him hidden in the system and away from the FBI, the defendants' motivations to keep federal authorities out of the jails become clear.

"You clean your backyard, or you want the feds to clean it? Because if the feds clean it ... I'm gonna tell you now, they're gonna clean house," Brown told deputies Smith and Mickey Manzo, also charged in the case. "They're gonna come through that front door, M16s and all that."

"Someone's already here. This is my house," Smith said, pounding on the table. "If someone's coming to my house to clean it up, they better ... knock on my door first."

A few days later, Dahle, along with two other agents, arrived at Men's Central Jail to interview Brown and find out what happened with the phone. About an hour in, a sergeant barged into the room and started shouting at them and took Brown away, Dahle testified.

Concerned that their operation had been compromised, the agents decided to accelerate their investigation, he said.

That same afternoon, Smith, Manzo and Lt. Stephen Leavins sat down to question Brown once more. The deputies told Brown they would move him to a station jail for his own protection, and to allow him to smoke cigarettes — something the inmate demanded before he told them more about the federal investigation.

"You're not gonna kill me are you?" Brown said in the recorded interview. "I've been watching too much TV."

Brown told the deputies he had reported more than 50 excessive force incidents to federal agents.

It was after that day, prosecutors allege, that the defendants launched into their conspiracy to obstruct the federal investigation by booking Brown under a string of bogus names, moving him from jail to jail and threatening a federal agent with an arrest warrant that had already been denied by a local judge.

"Is this some form of turf war going on between the Los Angeles Sheriff's Department and the FBI?" Assistant U.S. Atty. Brandon Fox asked Dahle, raising an argument that had been made by several of the defense attorneys.

"No. We heard numerous allegations of misconduct by deputies," he said. "It looked like there was a pattern and practice."

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Outsider could end 100-year tradition by becoming L.A. County sheriff



Six of the seven candidates for Los Angeles County Sheriff, from left: James Hellmold, Bob Olmsted, Todd Rogers, Jim McDonnell, Lou Vince and Paul Tanaka. (Joe Shalmoni / Associated Press)

By **JACK LEONARD**

MAY 29, 2014, 5:02 PM

The last time an outsider was elected Los Angeles County sheriff, posses tracked bandits into the hills of Glendora, Charlie Chaplin had just hit movie screens and Angelenos were watching anxiously as World War I began in Europe.

Since the election of 1914, county voters have consistently favored Sheriff's Department insiders for the job.

But against a backdrop of scandal and crises in the agency, this year's race could upend that 100-year tradition.

One of the key questions voters must consider in Tuesday's primary is whether an outsider would be better at introducing reforms in the organization than someone steeped in its culture.

For the first time in recent memory, an outsider, Long Beach Police Chief Jim McDonnell, is considered a front-runner for the job. And the five candidates who are department veterans have often been asked on the campaign trail how they can be trusted to bring change given their long histories within the organization.

With the election dominated by promises to increase public trust in the agency, the career sheriff's officials in the race have sought to distance themselves from the department's recent troubles, portraying themselves as reformers who would bring a fresh perspective to the job.

"For the last 15 years, I've been an outsider within my own organization because of all the corruption and mismanagement that's been going on," one of the candidates, Assistant Sheriff Todd Rogers, said at one of the many debates that have dominated the campaign.

McDonnell dismissed such claims by his opponents at another forum.

"All insiders trying very hard to be outsiders," he said of his rivals.

The strategy by some department candidates to play up their credentials as outsiders — even while arguing that a true outsider lacks the institutional knowledge to bring change — underscores the damage inflicted on the department's image in recent years, said Raphael Sonenshein, executive director of the Pat Brown Institute of Public Affairs at Cal State Los Angeles. It also highlights the uniqueness of this year's race.

"In most sheriff's elections in the last 100 years, being an insider was the key to winning," he said. "This is a real campaign."

The nonpartisan sheriff's election marks the county's first without an incumbent on the ballot in more than 50 years. Lee Baca threw the race wide open in January when he abruptly quit his effort to win a fifth four-year term. Seven career law enforcement officers are running.

At stake is the chance to lead one of the country's largest local law enforcement agencies at a crucial time in its history.

The new sheriff will head a department that has a \$2.9-billion budget, more than 9,000 deputies and responsibility for patrolling vast portions of the county, including 42 cities and unincorporated areas, community colleges and transit operations. In addition, the agency provides security for the county's courts and runs the nation's largest jail system.

The winner will gain a national voice in shaping public safety policy but will also inherit a long list of challenges.

The next sheriff must build on efforts to reform the county's violent and teeming jails. He will have to handle continuing fallout from the FBI's criminal inquiry into jailhouse brutality and the U.S. Justice Department's separate civil rights investigation into alleged mistreatment of mentally ill inmates.

Other pressing issues include budget woes and sagging morale among rank-and-file deputies. In addition, the department must deal with accusations by the Justice Department that Antelope Valley deputies conducted searches and detentions that violated the constitutional rights of African American and Latino residents.

If no candidate wins a majority of votes, the top two vote-getters will face off in the general election in November.

The leading outside candidate is **McDonnell**, a career officer with the Los Angeles Police Department who rose to become the department's second in command before his appointment as Long Beach police chief in 2010.

McDonnell said he did not realize the extent of the Sheriff's Department's problems until he served on the county's Citizens' Commission on Jail Violence. The commission's landmark **report** in 2012 found "a persistent pattern of unnecessary and excessive use of force" in the jails and blasted the Sheriff's Department's leadership for failing to combat the problem.

"It's time for an outside perspective — some fresh eyes," McDonnell said.

He boasts a long list of heavyweight endorsements, including from Dist. Atty. Jackie Lacey, LAPD Chief Charlie Beck and a majority on the Board of Supervisors.

Two internal candidates argue that they combine insider knowledge with an outsider's view of how to reform the institution.

Rogers, one of the department's four assistant sheriffs, has regularly told debate audiences how, as a new captain, he was asked to give an exclusive contract to a tow company that was supportive of high-ranking department officials. Rogers said he refused. He said years later he rejected a request to change the outcome of an internal investigation of a sergeant who pointed a pistol at another.

Rogers, who is also mayor of Lakewood, oversees the department's budget and recently spearheaded reforms following a Times investigation that found the department hired dozens of cops with histories of serious misconduct.

Retired sheriff's Cmdr. **Bob Olmsted** has also described himself as an outsider, pointing to his decision to publicly expose abuses inside the jails and to report his concerns to the FBI. Like Rogers and other department veterans in the race, Olmsted says his career within the department also gives him the institutional knowledge that will enable him to quickly pinpoint the problems and necessary fixes.

"I had the courage to take on the organization and take on the code of silence within this organization by going outside to the FBI and reporting the corruption," Olmsted said.

Olmsted and Rogers have repeatedly taken aim at another candidate, former Undersheriff **Paul Tanaka**, accusing him of fostering a culture that allowed wrongdoing.

The Citizens' Commission on Jail Violence blamed Tanaka for encouraging "deputies to push the legal boundaries of law enforcement activities and [creating] an environment that discouraged accountability for misconduct." Last week, a federal prosecutor **revealed** in court that Tanaka is a subject of the ongoing federal investigation into the county's jails.

Tanaka has generally avoided responding to his rivals on the campaign trail. But he has defended his record as undersheriff and accused Baca of putting politics above the department's core mission.

"Never once did I condone or tolerate or encourage in any way, shape or form the use of excessive force or misconduct," Tanaka said at a recent debate.

Tanaka, who is also mayor of Gardena, has spent much of his campaign emphasizing the need to focus on making crime prevention and public safety a priority. He is a certified public accountant who managed the Sheriff's Department's budget for 11 years. He says his experience at either working in or supervising every unit in the department during his career makes him uniquely qualified to be the next sheriff.

James Hellmold, a 25-year department veteran who rose through the ranks from Baca's driver to assistant sheriff, has not shied away from calling himself an insider, but has also emphasized his work as a reformer. He was among a handful of brass tapped several years ago to oversee the department's response to jail abuse allegations. Since then, Hellmold has helped oversee sweeping reforms recommended by the commission on jail violence.

Baca has publicly described Hellmold — as well as Rogers — as qualified to take on the job of sheriff. At 46, Hellmold is among the youngest of the candidates and has vowed to modernize the department, particularly in combating cyber-crime.

"I want to bring some youthful energy into the Sheriff's Department," he said.

Also running are **Lou Vince**, a senior detective supervisor with the LAPD, and **Patrick Gomez**, a retired sheriff's lieutenant who has run two unsuccessful races for sheriff.

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Times staff writer Cindy Chang contributed to this report.

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County settles jail visitor's beating lawsuit for \$1.2 million



Family members photographed Gabriel Carrillo after his run-in with sheriff's deputies while visiting Men's Central Jail. At left, Carrillo is flanked by his family and attorneys. (Allen J. Schaben / Los Angeles Times)

By **RYAN MENEZES**

MAY 29, 2014, 9:55 PM

A man who said he was beaten by Los Angeles County sheriff's deputies while visiting his brother at Men's Central Jail will be paid almost \$1.2 million to settle his civil rights lawsuit.

Attorneys for Gabriel Carrillo, 26, announced the settlement Thursday. It was approved by the Los Angeles County Board of Supervisors and finalized earlier this week.

Carrillo was attacked on Feb. 26, 2011, after deputies found him carrying a cellphone in the waiting area, a violation of jail rules, according to his lawsuit.

After discovering the cellphone, deputies said they handcuffed Carrillo and escorted him to a booking room. When they released one of his hands for fingerprinting, Carrillo swung his

elbow at a deputy, the deputies said. A supervisor said he ordered the deputies to use force until Carrillo was restrained.

But Carrillo alleged in his lawsuit that both of his hands were handcuffed behind his back and the attack was unprovoked. He said he was beaten until he blacked out and then, when he came to, was doused with pepper spray.

Carrillo said he suffered a broken nose and facial paralysis, but has since recovered with no permanent damage.

"I felt this was the only right call that could have been made," Carrillo said at a news conference in Pasadena after the settlement was finalized. "The amount [of the settlement] speaks volumes as to the wrongdoing that was going on."

Prosecutors had charged Carrillo with battery, resisting deputies and attempting to escape arrest, all based on the deputies' report. He faced up to 14 years in prison, but the case was abruptly dropped a week before trial.

Ron Kaye, an attorney for Carrillo, said the criminal case turned when forensic evidence showed scarring on Carrillo's wrists, indicating that both of his hands were handcuffed during the altercation. Kaye said his client would petition the judge who presided over the dropped case for a certification of factual innocence, which the Sheriff's Department agreed not to oppose as part of the settlement.

The FBI later looked into Carrillo's claims as part of an investigation into the county's jails. Federal prosecutors charged Sgt. Eric Gonzalez and Deputies Sussie Ayala, Fernando Luviano, Noel Womack and Pantamitr Zunggeemoge with civil rights violations in connection with the incident. All have pleaded not guilty and are awaiting trial.

In the indictment, Gonzalez, who was the supervisor, is accused of fostering "an environment and atmosphere in the visiting area of [Men's Central Jail] that encouraged and tolerated abuses of the law," and of reprimanding deputies who didn't follow his commands.

The indictment accuses the same deputies of physically harassing jail visitors on four other occasions.

Carrillo, who works as a forklift operator, said Thursday that he would use the \$1.175-million settlement to buy a house for his wife and two infant daughters. His wife, who said she was harassed by sheriff's deputies during the same visit, said she would like to go back to school. Carrillo said he and his family had moved out of the Sheriff's Department's jurisdiction since the incident.

Assistant County Counsel Roger Granbo said the settlement includes the plaintiff's attorneys fees. The county spent \$47 million on lawsuits involving the Sheriff's Department in 2013, nearly half of all county litigation costs.

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L.A. County sheriff candidate Todd Rogers says he's gone 'by the book'



Assistant Sheriff Todd Rogers is running for Los Angeles County sheriff. (Genaro Molina / Los Angeles Times)

By **JEFF GOTTLIEB**

MAY 30, 2014, 9:53 PM

Todd Rogers saw his life before him, and things looked pretty good. He had completed his student teaching and had been offered a job teaching social studies and coaching the junior varsity girls softball team at Carson High, his alma mater.

"It was all coming together," he said.

Then he went on a ride-along with Los Angeles County sheriff's deputies, and suddenly things changed. "The excitement, the knowledge the deputies had," he said. "I was completely enamored."

Goodbye classroom, hello patrol car.

Now after 29 years in the Sheriff's Department, where he has risen to assistant sheriff, Rogers is running for the top job in a department trying to recover from scandal after scandal, ranging from federal indictments of deputies in a jail abuse investigation to illegal searches and

detentions of minorities in the Antelope Valley. The department has come under fire for hiring deputies with serious misconduct in their backgrounds and others who had ties to department officials.

Despite his rise to the department's top ranks, Rogers is working to distance himself from former Sheriff Lee Baca, the man who promoted and praised him and whom he is now trying to replace.

On the election trail, he portrays himself as someone who was never part of the clique responsible for the problems — an insider who was really an outsider. If there were a criticism of him, it would be that he was too by-the-book, he said.

"In the last 15 years, a lot of us have been outsiders in our department," said Rogers, dressed in a starched white shirt, yellow tie and gray suit.

He also defends the department. "It's not nearly as screwed up as people think it is," he said. "It's exponentially better than it was before."

About 13 months ago, Rogers was promoted, bypassing the rank of chief and leapfrogging from commander to assistant sheriff, effectively putting him just below the sheriff. Despite the move, he said, he and Baca didn't get along.

"I did a lot of soul-searching when I took the job, but I didn't sell my soul," Rogers said. "I was clearly a Hail Mary for Baca, trying to save his incumbency."

The weekend before the sheriff's resignation announcement in January, Rogers and his wife, a former deputy, discussed whether he should challenge his boss. "There was a good chance I would have run," he said.

Baca, he said, was a visionary when it came to law enforcement. "One of his mistakes is he trusted the wrong people," Rogers said.

One of those people, Rogers said, was former Undersheriff Paul Tanaka, who served as Baca's top aide and who is also running for sheriff. In an interview, Rogers aimed harsh criticism at Tanaka.

When he was promoted to assistant sheriff, Rogers moved into Tanaka's old office. He twice had the office swept for listening devices. "I didn't trust him," Rogers said.

He also was worried that another law enforcement agency had planted bugs as part of an investigation into the department.

Rogers said he would quit if the former undersheriff were elected.

"If they vote for Tanaka, I've lost all faith in humanity," he said. "I can't understate the damage he's done to the L.A. County Sheriff's Department."

Reed Galen, Tanaka's campaign consultant, responded by saying: "It seems to me that the only thing we can be sure of is that Todd Rogers is not going to be the next sheriff of Los Angeles County. His negative attitude during the course of this campaign and in particular when it comes to Paul is manifesting itself because he understands that his chances of finishing in the top two is nonexistent."

After a panel appointed by the county Board of Supervisors to investigate allegations of excessive force in the jails released its report, Baca appointed Rogers to implement many of the suggested changes. The report also said Tanaka had helped foster a culture of abuse in the jails.

Rogers is also angry with Baca, who during his resignation announcement said Rogers was one of two men in the department qualified to replace him.

Baca, according to Rogers, said he would raise money for him and James Hellmold, another assistant sheriff running for the top job. "He hasn't done a thing for me," Rogers said. "He hasn't raised a dime." Hellmold said Baca hadn't raised money for him either.

The race for sheriff isn't the first time Rogers has gone before voters, having served 13 years as a City Council member in Lakewood, where he is now mayor. He said he would step down if elected sheriff.

A real estate website recently ranked the city he oversees as the most boring in the state.

"I'm officially the most boring mayor in California, and I'm really proud of it," he said. "I want to make the Sheriff's Department the most boring law enforcement agency in the country."

Rogers also founded the Lakewood Education Foundation, which has given \$270,000 in grants for teachers in the city to use in classrooms.

All five Lakewood council members have endorsed him, as have the seven elected officials in Carson, where he grew up and served as captain.

Rogers said that in the past he had been encouraged to run not only for sheriff but also for state Assembly. He recently changed his voter registration from Republican to independent in anticipation the sheriff's race.

Rogers said that if elected he would institute community policing throughout the department, much like he did as commander of the Carson station. "I want to change the way we do law enforcement in the county," he said.

Rogers served on a federal advisory committee on community policing and worked with the state peace officers training commission when it decided to rewrite its curriculum on the subject.

"He was one of the people we turned to because of his knowledge and experience," said Joe Brann, a member of the group's executive committee.

Rogers said he'd also try to work with community groups to use a holistic team approach to try to keep young offenders out of trouble, a tactic that was successful in Carson, where crime dropped 15% under his watch.

Those days as a teacher stick with him, and he says he has become an educator within the department.

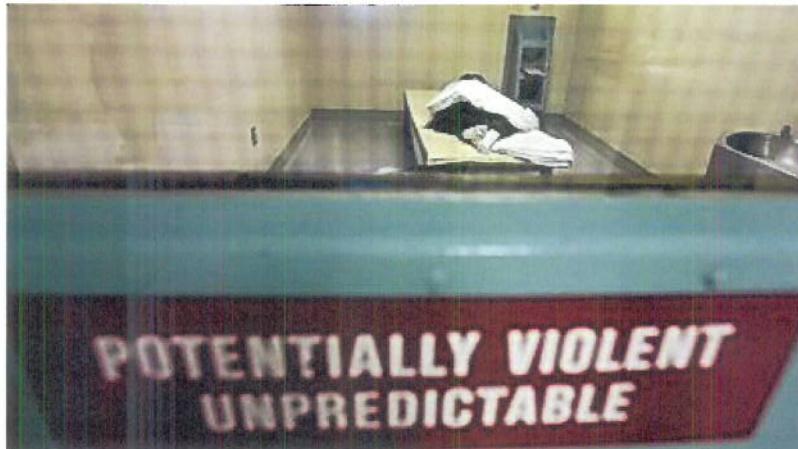
And if the wrong person is elected? "Who knows," he said. "I may go back."

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Feds step up pressure for L.A. County Jail reforms



"Deplorable" conditions for mentally ill inmates in the L.A. County Jail system exacerbate their distress, a federal report says. (Robert Gauthier / Los Angeles Times)

By **CINDY CHANG, ABBY SEWELL**

JUNE 6, 2014, 7:49 PM

Citing a dramatic increase in jail suicides, the U.S. Department of Justice announced Friday that it was seeking court oversight of how the Los Angeles County Sheriff's Department treats mentally ill inmates.

The move marks a significant expansion of the federal government's efforts to improve the "deplorable" living conditions and care of the mentally ill in the nation's largest jail system.

Jail cells are "dimly lit, vermin-infested, noisy, unsanitary, cramped and crowded," exacerbating prisoners' mental distress, the Justice Department said in a report to county officials.

"Prisoners with mental illness do not receive adequate supervision and are housed in conditions that present, rather than prevent, a risk of suicide," the report stated.

Federal officials said there had been 15 suicides in under 30 months. Some of the deaths might have been prevented with better monitoring by jailers, according to federal officials, who also accused jailers of verbally abusing mentally ill inmates. Objects to potentially assist in suicide, such as plastic bags and spoons, were readily accessible in the jails, and suicidal inmates were given sheets with which some later hanged themselves.

Jail officials did little to address the situation even after suicides more than doubled, from four in 2012 to 10 the following year, the report said.

Federal officials said they planned to seek a court-enforceable consent decree to ensure that the county enacts the needed reforms. But county officials disputed the federal government's findings and defended their treatment of mentally ill inmates.

"We are disappointed that today's report fails to fully recognize the additional progress made over the last year and a half to improve mental health services," the Sheriff's Department and Department of Mental Health said in a jointly prepared statement. "The report also mischaracterizes and significantly understates the incredible efforts made to improve our suicide prevention practices."

The strongly worded report is yet another blow to the Sheriff's Department, which has battled allegations of corruption and excessive force in its jails. An ongoing federal investigation into the jails has led to criminal charges against 21 sheriff's officials.

The Sheriff's Department is also negotiating with federal authorities to reform its policing methods in the Antelope Valley, after the Justice Department found that deputies violated the civil rights of black and Latino residents.

In January, longtime Sheriff Lee Baca retired amid the various scandals. Long Beach Police Chief Jim McDonnell and retired Undersheriff Paul Tanaka are competing in a runoff election to replace him.

Federal involvement in the L.A. County jails dates back to 1997, when the Justice Department issued a set of recommendations for improving mental health care. Since 2002, the jails have operated under a memorandum of agreement after federal authorities determined that inmates' constitutional rights were being violated.

Peter Eliasberg, legal director of the ACLU of Southern California, said the continued problems after nearly 20 years were "really depressing and sad."

"The human cost is not just in terms of terrible mental health outcomes, but the human cost really in deaths," Eliasberg said. "There are people who are not alive today because these two

departments could not do what the Department of Justice and others have recommended in terms of suicide prevention."

The problems begin at intake, when some inmates are not properly labeled as suicidal, federal officials said.

In one case, an inmate who'd had seven psychiatric hospitalizations and a history of suicidal behavior was not put in mental health housing, and later hanged himself in his cell, according to the report.

In some areas of the jails, security checks are conducted every 60 minutes instead of every 30 minutes, the report said. One inmate who hanged himself last year had not been checked on for over two hours.

The lack of supervision is "especially troubling" because cells are not suicide resistant and contain hazards like metal bars and wide mesh vent covers, the report said.

In addition to vermin and dim lighting, mentally ill inmates deal with extremely dirty cells, where feces smeared on walls is not removed with steam cleaners. Some mentally ill inmates are not given enough recreation time, spending 22 hours at a time in their cells, and they are commonly denied basic comforts like mattresses, the report said.

"When suicide precautions are unnecessarily harsh, it raises the risk that some prisoners who are actually suicidal will be hesitant to admit their suicidality," the report said.

Mentally ill inmates are also victims of "inappropriate and unprofessional behavior by deputies," who use "obscene and derogatory language" toward them, the report stated.

One inmate was suffering hallucinations and a worsening of her psychotic depression as the anniversary of a family member's death approached, the report said. Her county psychologist knew of her condition, but no extra precautions were taken and a deputy did not act immediately after noticing that she was not moving. She died soon after she was found with a plastic bag over her head.

Her death, the report concluded, was preventable.

The Sheriff's Department has made improvements in some areas, including mental health screening, electronic medical records, staffing levels and staff training, the report said.

The report also applauded efforts to increase diversion programs to treat mentally ill offenders outside the jails, noting that a large increase in mentally ill inmates had made running the jails more difficult.

A divided county Board of Supervisors voted last month to move forward with a \$2-billion replacement of the aging Men's Central Jail downtown, while also undertaking a study of how to divert more mentally ill offenders from the jail system.

On Friday, some supervisors cast the Justice Department report in that context.

Supervisor Michael D. Antonovich said Friday that the new jail would improve care by delivering "integrated health, mental health and substance abuse treatment services."

Two of his colleagues who did not support the jail construction plan said the report should be viewed as a call to divert the mentally ill from jails. "The place to deal with mental illness is not jail," said Supervisor Mark Ridley-Thomas.

Supervisor Zev Yaroslavsky said the board should revisit its jail construction plan and "treat mentally ill inmates in an environment far more conducive to success than the ailing county lockup."

"I feel certain the DOJ will not wait 10 years for us to erect a new \$2-billion jail, despite its promise of more humane and intensive treatment for the county's thousands of mentally ill inmates," he said.

Sheriff's and county mental health officials contended that the report failed to give credit for many improvements in the system.

Stephen Shea, the county's medical director for jail mental health, said that in the last two years, the county had implemented a new suicide risk assessment and had stepped up suicide prevention procedures for inmates going through drug withdrawal or with a history of substance abuse.

Marvin Southard, head of the county's mental health department, said the rate of suicides was "lower or comparable to similar jail systems" elsewhere.

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Jurors hear of deputies' attempt to coerce FBI agent



Inmates are watched by members of the Los Angeles County Sheriff's Department at the Men's Central Jail in 2012. (Gary Friedman / Los Angeles Times)

By **VICTORIA KIM**

JUNE 6, 2014, 8:59 PM

Two Los Angeles County Sheriff's Department sergeants showed up at an FBI agent's home in September 2011 and told her that they were in the process of obtaining a warrant for her arrest. That evening, the agent's concerned supervisor called the sergeants, asking what the charges would be, when the warrant would be issued and whether the sheriff knew.

After hanging up the phone, Sgt. Maricella Long turned to her partner and said with a chuckle: "They're scared."

"You're still rolling," Sgt. Scott Craig told her, pointing out that the recorder was on.

FOR THE RECORD:

Sheriff's Department: An article in the June 7 LATExtra section about the obstruction of justice trial of six Los Angeles Sheriff's Department officials misspelled the first name of one of the defendants, Maricela Long, as Maricella. The misspelling also occurred in articles Dec. 10, Dec. 17, May 20, May 28 and June 5. —

On Friday, a federal jury hearing the obstruction of justice case against Long, Craig and four others heard Long admitting in her own words that throughout that encounter with the FBI, she was lying. She knew there was no warrant coming. She knew the Sheriff's Department had no authority to investigate a federal agent. She had no idea whether the sheriff had been briefed about the steps they were taking.

She told the lies, she testified before a federal grand jury, in an attempt to find out the details of the FBI's civil rights investigation into county jails.

"So this was more of an intimidation tactic?" a prosecutor asked Long before the grand jury.

"I wouldn't call it intimidation.... We weren't trying to scare her. We were trying to get their attention, the FBI's attention," Long said in her grand jury testimony, which was read for jurors Friday. "In the hopes that they would reveal or admit that they were conducting an investigation within the L.A. County jail."

Prosecutors rested their case Friday after trying to show that the six sheriff's officials were acting with the intent to block federal scrutiny of the jails and keep any investigation of misconduct within the department. This week, jurors heard the statements of Long, Craig and their boss, Lt. Stephen Leavins, made before a federal grand jury describing the events of summer 2011.

Leavins recounted how after sheriff's deputies discovered a cellphone on an inmate claiming to be a federal informant, Leavins' unit, the Internal Criminal Investigations Bureau, was given the task of finding out what had happened. Investigators went to a Superior Court judge, asking him to sign off on an order compelling the FBI to turn over information about the jails investigation. The judge denied it, Leavins said, saying that he had no jurisdiction because federal laws take precedence over state laws.

"The judge said 'You're out of your mind, you can't do this,' " Leavins said.

But even after the request was denied Sept. 8, Craig and Long pressed their investigation of FBI Agent Leah Marx, the case agent on the civil rights investigation into excessive force and corruption among jail deputies, who was behind the smuggled phone. They had a surveillance team follow her and on Sept. 26, they confronted her in the driveway leading into her apartment.

"We had no intention of arresting her," Craig told the grand jury. "I think we wanted her to talk to us and tell us ... was there an investigation, are there more cellphones in central jail, who directed her to do this."

"You threatened to arrest her in order to see if she would then reveal to you the extent of the FBI investigation, is that correct?" a prosecutor asked.

"I don't know that I would use the word 'threatened' ... coerced her, or however you want to describe it, yeah, I used a ruse," Craig said.

After prosecutors rested their case Friday, defense attorneys called as their first witness former Undersheriff Paul Tanaka, whom prosecutors have previously identified as a subject in the ongoing jails investigation. Tanaka said throughout the investigation surrounding the smuggled FBI cellphone that investigators reported directly to him.

Steps taken to move the federal informant in the jails under a string of false names were part of an attempt to keep the informant safe from abusive deputies, Tanaka said.

"The people that were charged with protecting him had the authorization to use whatever lawful means they had," he said.

He said then-Sheriff Lee Baca had also made clear his orders that the inmate was to be kept secure: "That phone and that inmate were to go nowhere," he quoted Baca as saying.

Tanaka, a candidate for sheriff who came in second in this week's election, said he had trouble remembering many of the details of what he was informed of at each stage. Regarding Marx's surveillance, he said he was probably apprised of it "either shortly before, during or after."

He is expected to resume his testimony next week.

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L.A. County supervisors vote to hire 'child protection czar'



Tracy Willis, wearing a cap, and others raise their hands in support of the blue ribbon commission report on child services presented at the L.A. County Board of Supervisors meeting. (Irfan Khan / Los Angeles Times)

By **GARRETT THEROLF**

JUNE 10, 2014, 7:54 PM

The Los Angeles County Board of Supervisors on Tuesday approved a sweeping reform of the county's troubled child protection operation, creating an independent office charged with improving how the region's abused and neglected children are treated.

The new office will be run by a "child protection czar" with authority over a variety of departments to better coordinate care and prevent problems that have led to child deaths. To cut down on bureaucratic breakdowns that have also stymied child services, this czar will report directly to the supervisors rather than to various agency leaders.

The move marks the biggest change in the way the county shields threatened children since the Department of Children and Family Services was created 26 years ago. And it comes after a

series of child deaths generated outrage because the victims were supposedly under the watch of social workers.

"We know that our child protection system is in crisis," Supervisor Gloria Molina said. "We can't wait any longer. We must act now."

Janis Spire, president of the Alliance for Children's Rights, praised the plan because it not only focuses on child abuse but also aims to improve the lives of kids who have spent years in foster care or face significant educational and mental health problems.

The vote occurred a year after the death of Gabriel Fernandez. The 8-year-old boy was found with his skull cracked, three ribs broken, and skin that was bruised and burned. BB pellets were embedded in his lung and groin, and two teeth were knocked out.

The Times **reported last year that** social workers had investigated six reports of abuse but allowed Gabriel to stay with his birth mother and her boyfriend. Sheriff's deputies separately investigated at least four more reports but did not rescue the boy or cross-report the complaints to county welfare agencies. The mother and boyfriend are facing murder charges in the case.

In April, a blue ribbon commission appointed by the supervisors said the county's current system was in a "state of emergency" and suggested that a child welfare czar was vital.

"Other communities have turned around systems that are just as broken," said Commissioner Leslie Gilbert-Lurie, whose report noted that dramatic improvements in the prevention of child abuse fatalities occurred in Tampa, Fla., after officials there implemented similar changes.

A majority of supervisors was initially cool to **the recommendations** — saying they were too costly, added an unnecessary layer of bureaucracy and might disrupt reform efforts already underway. But Molina and Supervisor Mark Ridley-Thomas were able to win over two of their three colleagues amid growing public pressure for dramatic change.

The czar will be responsible for policy and budget recommendations for all services supporting abused and neglected children stretching across the county hospital system, the mental health department and other agencies.

Don Knabe was the lone supervisor to vote no, saying the new Office of Child Protection would create "new layers of unnecessary bureaucracy that will be telling our departments how to do their jobs."

Supervisor Zev Yaroslavsky had been considered the swing vote and did not reach a final decision until shortly before the question was called. From the dais, he said he reluctantly came

to the conclusion that a czar represented the best possible solution after years pursuing failed alternatives. "I don't know if it will work but I think it's worth a shot," he said.

After Yaroslavsky endorsed the plan, Supervisor Michael D. Antonovich said he would abandon his opposition and vote yes in exchange for a pledge to increase the number of pediatricians available for child abuse examinations in the Antelope Valley, which is part of his district.

The county's chief executive, William T Fujioka, was ordered to complete a detailed cost analysis for dozens of additional recommendations from the blue ribbon commission, including a proposal to greatly expand the use of county clinics to perform child abuse investigations.

Another key recommendation would pair a public health nurse with all social workers considering child abuse allegations involving those age 1 and younger. And the commission said that the county should better manage foster care contractors by tying payment levels to the quality of care delivered.

"This is worth the effort because I know that the status quo is untenable and costly — morally and financially," Ridley-Thomas said.

The supervisors said they would immediately embark on the selection process for the new czar, and they voted to establish a transition team to provide guidance and prioritize policy initiatives until the new office is formed.

DCFS has been criticized for years over its care of children. In recent years, dozens of children have died of abuse or neglect after coming to the attention of county social workers.

The county's current child welfare chief, Philip Browning, told The Times that he did not expect to be considered for the new role but intended to remain in his position leading the family services department.

"L.A. County will be unique because it will be the only jurisdiction in the country to have something like this," Browning said, "so I think it is a very bold move and highlights the board's interest in child protection."

One possible czar candidate being mentioned by county officials is David Sanders, a former family services director who chaired the blue ribbon commission.

Fujioka had been selected by supervisors seven years ago under similar hopes that he would be able to better coordinate services across departmental lines. But his authority over family services was removed three years ago after complaints of slow progress.

Fujioka said in an interview that his office would support the new czar, but he also issued a report that was pessimistic about the feasibility of fully implementing the plan.

"In certain instances, state law may need to change in order for some child-related services to be reallocated from some county departments to an Office of Child Protection," the report said.

"To the extent the duties of various county departments could be redistributed, ordinances, civil service rules and [labor contracts] would need to be amended," he added.

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